

Application No. 10/776,522
Reply dated March 29, 2010
Reply to Office Action of January 25, 2010

Docket No. 0505-1268P
Art Unit: 3709
Page 10 of 17

AMENDMENTS TO THE DRAWINGS

Two sheets of Replacement Drawings (FIGS. 1 and 3) are attached in order to add reference numerals to elements illustrated in the original drawings. No new matter has been added.

REMARKS

The Applicant thanks the Examiner for the consideration given the present application. Claim 15 was previously cancelled Claims 11, 14, and 16 are cancelled herein without prejudice to or disclaimer of the subject matter set forth therein. Claims 1-10, 12, and 17-22 are pending. Claims 1 and 17 are amended. Claims 1 and 17 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Reasons for Entry of Amendments

At the outset, it is respectfully requested that this Amendment be entered into the Official File in view of the fact that the amendments to the claims automatically place the application in condition for allowance.

In the alternative, if the Examiner does not agree that this application is in condition for allowance, it is respectfully requested that this Amendment be entered for the purpose of appeal. This Amendment was not presented at an earlier date in view of the fact that Applicants did not fully appreciate the Examiner's position until the Final Office Action was reviewed.

Examiner Interview

If, during further examination of the present application, a discussion with the Applicant's Representative would advance the prosecution of the present application, the

*Application No. 10/776,522
Reply dated March 29, 2010
Reply to Office Action of Janaury 25, 2010*

*Docket No. 0505-1268P
Art Unit: 3709
Page 12 of 17*

Examiner is encouraged to contact Carl T. Thomsen, Registration No. 50,786, at 1-703-208-4030 (direct line) at his convenience.

Amendments to the Drawings

Two sheets of Replacement Drawings (FIGS. 1 and 3) are attached in order to add reference numerals to elements illustrated in the original drawings. No new matter has been added.

Amendments to the Specification

Paragraph [0035] of the specification has been amended in order to provide antecedent basis for the claimed subject matter. No new matter has been added.

Rejection Under 35 U.S.C. § 112, first paragraph

Claims 11, 14, and 16 stand rejected under 35 U.S.C. § 112, first paragraph. This rejection is respectfully traversed.

While not conceding the appropriateness of the Examiner rejection, the Applicant has cancelled claims 11, 14, and 16.

Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejections Under 35 U.S.C. §103(a)

Claims 1, 3, 4, 6, 9-14, and 16-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Caprai (U.S. Patent 6,251,015) in view of Ritchie (U.S. Patent 4,637,605);

and claims 2, 5, 7, and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Caprai and Ritchie, and further in view of Pittarelli (U.S. Patent 3,964,564).

These rejections are respectfully traversed.

Amendments to Independent Claims 1 and 17

While not conceding the appropriateness of the Examiner's rejections, but merely to advance the prosecution of the present application, **independent claim 1** has been amended to recite a combination of elements directed to a riding simulation system, including *inter alia*

“a pair of sub-frames connected to roughly central portions of the left and right main frames so as to extend from the left and right main frames in a direction away from the operator of the simulation system; and

a control unit for said system being mounted in a position between downwardly sloping linear portions of said pair of left and right main frames and under the centrally located main frame, the position of the control unit being such that most of the control unit extends below where the sub-frames are connected to the downwardly sloping linear portions of left and right main frames, the position of the control unit being rearward with respect to each of the sub-frames.”

In addition, **independent claim 17** has been amended to recite a combination of elements directed to a riding simulation system, including *inter alia*

“body for rotatably securing said steering handle mechanism, the body comprising:

a pair of left and right main frames, each of which includes

a downwardly sloping linear portion,

a horizontal linear portion extending from a lower end of the downwardly sloping linear portion in a direction away from the operator of the simulation system, and

a stopper mechanism having a fixing bolt provided at a forward end of the horizontal linear portion, and

a pair of left and right sub-frames, each of which is connected to a roughly central part of the corresponding downwardly sloping linear portion so as to extend in a direction substantially parallel to and under the corresponding horizontal portion;

a control unit for said system being mounted in a position directly between the downwardly extending linear portions, the position of the control unit being rearward with respect to each of the sub-frames, and the fixing bolts at the forward ends of the horizontal linear portions.”

See FIGS. 1 and 4, for example, for support.

As conceded by the Examiner, Caprai fails to disclose sub-frames.

Regarding the Ritchie reference, as can be seen in the Examiner’s annotated FIG. 1, a major portion of control box 3 is located above the pair of pipes which the Examiner’s refers to as “pair of sub-frames,” and these pipes slope downwardly toward the rider from the rear side the control box. Thus, Ritchie cannot make up for the deficiency of Caprai to reject independent claim 1.

At least for the reasons described above, no combination of Caprai and Ritchie can teach or suggest the combination of elements set forth in each of **independent claims 1 and 17**. Therefore, **independent claims 1 and 17** are in condition for allowance.

Dependent Claims

The Examiner will note that dependent claims 11, 14, and 16 have been cancelled.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

For example, **dependent claim 13** recites

“a casing of the control unit is centrally disposed between the left main frame and the right main frame such that a space is provided between left and right sides of the casing and the corresponding linear portion of the left and right main frames.”

Caprai fails to disclose a control unit with spaces of left and right sides.

Ritchie fails to disclose that control box 3 has spaces between the front forks on left and right sides of the control box 3.

Thus, **dependent claim 13** contains allowable subject matter.

As other examples, each of **dependent claims 18 and 19** recites

“wherein a forward end of the centrally located main frame disposed farthest away from the operator is connected to a cross frame bridging between forward ends of the sub-frames,

Application No. 10/776,522
Reply dated March 29, 2010
Reply to Office Action of Janaury 25, 2010

Docket No. 0505-1268P
Art Unit: 3709
Page 16 of 17

wherein a front face of the control unit, which is located rearwardly and separately of the cross frame, faces a rear side of the cross frame, and

a rear face of the control unit faces away from the operator.”

Caprai fails to teach a cross frame. As for Ritchie, the front face of video game (control unit) 3 certainly does not face a rear face of any part of the exercise bike 5.

Thus, **dependent claims 18 and 19** contain allowable subject matter.

All pending claims are now believed to be in condition for allowance.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are respectfully requested.

Application No. 10/776,522
Reply dated March 29, 2010
Reply to Office Action of January 25, 2010

Docket No. 0505-1268P
Art Unit: 3709
Page 17 of 17

CONCLUSION

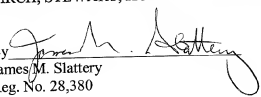
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030 (direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Dated: March 29, 2010

Respectfully submitted,
BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
James M. Slattery
Reg. No. 28,380
P. O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment: Two sheets of Replacement Drawings (FIGS. 1 and 3)


JMS/CTT/ktp